

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CRIMINAL MINUTES - GENERAL**

Case No. SA CR 05-00066-CJC

Date September 30, 2008

Present: The Honorable CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE

Interpreter None

Michelle Urie

Not Reported

Jeannie M. Joseph - Not Present

*Deputy Clerk**Court Reporter/Recorder, Tape No.**Assistant U.S. Attorney*U.S.A. v. Defendant(s):Present Cust. BondAttorneys for Defendants:Present App. Ret.

MO THI PHAM

Not

X

Michael S. Meza

Not

X

**(IN CHAMBERS) ORDER: MOTION FOR RELEASE OF DEFENDANT PENDING**

**Proceedings: APPEAL IS DENIED (Fld: 9-15-08)**

Having read and considered the papers presented by the parties, the Court finds this matter appropriate for disposition without a hearing. *See* LOCAL RULE 7-15; LOCAL CRIMINAL RULE 57-1. Accordingly, the hearing set for Monday, October 6, 2008 at 9:00 a.m. is hereby vacated and off calendar.

Defendant's motion for release pending appeal is DENIED. The government presented an overwhelming amount of evidence of guilt at trial establishing Defendant's knowing and wilful involvement in the fraud scheme. Accordingly, Defendant has failed to raise a substantial question on appeal likely to result in reversal, a new trial, or a sentence not including imprisonment as is required for bail pending appeal.

/cjc

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